

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

UNITED STATES OF AMERICA	§	
	§	
V.	§	CRIMINAL ACTION NO. 6:09CR53
	§	
RONALD JACK EDWARDS (02)	§	

REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

On April 15, 2010, the Court referred the Petition of Van Zandt County, Texas, et al. for Adjudication of Interest in Property 1805 VZ CR 4614, Ben Wheeler, Texas (document #280). This ancillary forfeiture proceeding was referred to the undersigned for a hearing and proposed findings of fact and recommendations as to its disposition.

On August 23, 2010, the United States of America (“the Government”) and petitioners Van Zandt County, Texas, and Van ISD (“the Taxing Authorities”), filed a Stipulation (document #293). In the Stipulation, the Taxing Authorities agree to the entry of a Final Order of Forfeiture forfeiting the property to the Government and providing for payment of the ad valorem taxes owed to them after payment of all costs incurred in protecting and selling the property, with the parties each bearing their own costs and attorney’s fees. The parties have resolved the issues in dispute and the petition should be dismissed.

Recommendation

_____ It is recommended that the Petition of Van Zandt County, Texas, et al. for Adjudication of Interest in Property 1805 VZ CR 4614, Ben Wheeler, Texas (document #280) be dismissed and that a Final Order of Forfeiture be entered as agreed to by the parties in the Stipulation.

Within fourteen days after receipt of the magistrate judge's report, any party may serve and file written objections to the findings and recommendations of the magistrate judge.

A party's failure to file written objections to the findings, conclusions and recommendations contained in this Report within fourteen days after service shall bar that party from *de novo* review by the district judge of those findings, conclusions and recommendations and, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the District Court. *Douglass v. United Services Auto. Assn.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

So **ORDERED** and **SIGNED** this **23** day of **August, 2010**.



JUDITH K. GUTHRIE
UNITED STATES MAGISTRATE JUDGE